

DANIEL J. BRODERICK, #89424  
Federal Defender  
DAVID M. PORTER, Bar #127024  
Assistant Federal Defender  
801 I Street, 3rd Floor  
Sacramento, California 95814  
Telephone: (916) 498-5700

Attorney for Defendant  
MARCUS DICKERSON

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. Cr. F 97-5217 AWI
	)	
Plaintiff,	)	<b>STIPULATION TO REDUCE SENTENCE</b>
	)	<b>PURSUANT TO 18 U.S.C. § 3582(c) (2)</b>
v.	)	
	)	<b><u>RETROACTIVE CRACK COCAINE</u></b>
MARCUS DICKERSON,	)	<b><u>REDUCTION CASE</u></b>
	)	
Defendant.	)	Date: May 19, 2008
	)	Time: 9:00 a.m.
	)	Judge: Hon. ANTHONY W. ISHII

Defendant, MARCUS DICKERSON, by and through his attorney,  
Assistant Federal Defender David M. Porter, and plaintiff, UNITED  
STATES OF AMERICA, by and through its counsel, Assistant U.S. Attorney  
KEVIN P. ROONEY, hereby stipulate as follows:

1. Pursuant to 18 U.S.C. § 3582(c) (2), this court may reduce the  
term of imprisonment in the case of a defendant who has been sentenced  
to a term of imprisonment based on a sentencing range that has  
subsequently been lowered by the Sentencing Commission pursuant to 28  
U.S.C. § 994(o);

2. The sentencing range applicable to Mr. Dickerson was  
subsequently lowered by the United States Sentencing Commission in  
Amendment 706 by two levels;

3. Accordingly, Mr. Dickerson's offense level has been reduced from 32 to 30, and a sentence at the low end of the new guideline range would be 121 months;

4. Mr. Dickerson merits a reduction in his sentence based on the factors listed in 18 U.S.C. § 3553(a), as well as considerations of public safety and Mr. Dickerson's positive post-sentencing conduct;

5. Accordingly, the parties request the court to enter the order lodged herewith reducing Mr. Dickerson's term of imprisonment to 121 months.

Dated: May 9, 2008

Respectfully submitted,

McGREGOR SCOTT  
United States Attorney

DANIEL J. BRODERICK  
Federal Defender

/s/ Kevin P. Rooney  
KEVIN P. ROONEY  
Assistant U.S. Attorney

/s/ David M. Porter  
DAVID M. PORTER  
Assistant Federal Defender

Attorney for Plaintiff  
UNITED STATES OF AMERICA

Attorney for Movant  
MARCUS DICKERSON

#### ORDER

This matter came before the Court on the motion of the defendant for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2) filed on April 10, 2008. The motion was set for hearing on May 19, 2008, but because the parties have stipulated to the resolution, the matter is taken off calendar.

The parties agree, and the Court finds, that Mr. Dickerson is entitled to the benefit of the retroactive amendment reducing crack

STIPULATION and ORDER REDUCING SENTENCE

1 cocaine penalties, which reduces the applicable offense level from 32  
2 to 30.

3 IT IS HEREBY ORDERED that the term of imprisonment originally  
4 imposed is reduced to an aggregate term 121 months on all counts.

5 IT IS FURTHER ORDERED that all other terms and provisions of the  
6 original judgment remain in effect.

7 Unless otherwise ordered, Mr. Dickerson shall report to the United  
8 States Probation office closest to the release destination within  
9 seventy-two hours after his release.

10  
11 IT IS SO ORDERED.

12 **Dated: May 12, 2008**

**/s/ Anthony W. Ishii**  
UNITED STATES DISTRICT JUDGE